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7

8   UNITED STATES DISTRICT COURT

9   FOR THE NORTHERN DISTRICT OF CALIFORNIA

10   SAN FRANCISCO DIVISION

11   CASE NO. C05-02972 MMC (JL)
   VNUS MEDICAL TECHNOLOGIES, INC.,
12   **ORDER GRANTING IN PART AND**
              Plaintiff,   **DENYING IN PART MOTION FOR**
13   )   **ADMINISTRATIVE RELIEF TO FILE**
        v.   )   **UNDER SEAL DOCUMENTS OFFERED**
14   )   **IN SUPPORT OF PLAINTIFF'S**
)   **OPPOSITIONS TO MOTIONS FOR**
   DIOMED HOLDINGS, INC., DIOMED   )   **SUMMARY JUDGMENT; DIRECTIONS**
15 INC., ANGIODYNAMICS, INC., and)   **TO CLERK; DIRECTIONS TO**
   VASCULAR SOLUTIONS, INC.,   )   **PLAINTIFF**
16   )
              Defendants.   )
17   )   **[CIVIL LOCAL RULES 7-11, 79-5(d)]**
)
18   )   Date: October 5, 2007
)   Time: 9 a.m.
19 _____)   Judge: Hon. Maxine M. Chesney

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21   In conjunction with Plaintiff VNUS Medical Technologies, Inc.'s Oppositions to

22 Defendants' Motions for Summary Judgment of Invalidity in this matter, Plaintiff filed a Joint

23 Stipulated Motion for Administrative Relief To File Documents Under Seal with respect to certain

24 documents designated "Confidential" and/or "Confidential – Attorneys' Eyes Only" pursuant to the

25 Stipulated Protective Order in this case. Based upon this motion and the Declarations filed by the

26 respective parties pursuant to Civil Local Rule 79-5(d), and good cause appearing therefore,

27 Plaintiff's Joint Stipulated Motion for Administrative Relief To File Documents Under Seal is

28 GRANTED with respect to the following documents:

1   • Portions of Exhibits 2, 3, 14, and 21 to the Declaration of Suong T. Nguyen in

2   Support of Plaintiff's Opposition to Defendants' Motion for Summary Judgment

3   of Invalidity Under 35 U.S.C. § 112

4   • Designated portions of Plaintiff's Opposition to Defendants' Motion for

5   Summary Judgment of Invalidity Under 35 U.S.C. § 112

6   • Exhibits 11, 12, and 39 to the Declaration of Suong T. Nguyen in Support of

7   Plaintiff's Opposition to Defendants' Motion for Summary Judgment of

8   Invalidity Under 35 U.S.C. §§ 102-103

9   • Designated portions of Plaintiff's Opposition to Defendants' Motion for

10   Summary Judgment of Invalidity Under 35 U.S.C. §§ 102-103

11   The Clerk is DIRECTED to file under seal unredacted versions of the above-referenced

12   documents.

13   With respect to the following documents, the motion is DENIED, for the reason no party

14   has shown any basis to file said exhibits, or any portion thereof, under seal:

15   • Exhibits 7, 13, 16, and 30 to the Declaration of Suong T. Nguyen in Support of

16   Plaintiff's Opposition to Defendants' Motion for Summary Judgment of

17   Invalidity Under 35 U.S.C. § 112

18   • Exhibits 4, 5, 7, 19, 20, 23, 25, 30, 31, and 40 to the Declaration of Suong T.

19   Nguyen in Support of Plaintiff's Opposition to Defendants' Motion for

20   Summary Judgment of Invalidity Under 35 U.S.C. §§ 102-103

21   If plaintiff wishes the Court to consider such exhibits, plaintiff is hereby DIRECTED to file

22   such exhibits in the public record no later than September 12, 2007.

23   IT IS SO ORDERED.

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25   Dated: September 7, 2007

26   Hon. Maxine M. Chesney
                                                     Judge, United States District Court

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